

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—
GENERAL

Case No. 2:23-cv-01043-JWH-KES

Date January 17, 2024

Title *Entropic Communications, LLC v. DISH Network Corporation, et al.*

Present: The Honorable JOHN W. HOLCOMB, UNITED STATES DISTRICT JUDGE

Erica Bustos for Clarissa Lara

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

**Proceedings: (IN CHAMBERS) ORDER FOR SUPPLEMENTAL
BRIEFING REGARDING JOINDER TO THE COX
MOTION**

Pending before the Court are two motions to dismiss under 35 U.S.C. § 101 filed by (1) Defendants DirecTV, LLC and AT&T Services, Inc. (jointly, “DirecTV”) in November 2023;¹ and (2) Cox Communications, Inc.; CoxCom, LLC; and Cox Communications California, LLC (collectively, “Cox”) in June 2023.² In the DirecTV Motion, DirecTV seeks (among other relief) to join the Cox Motion; that is, DirecTV seeks an order invalidating U.S. Patent Nos. 9,838,213 (the “’213 Patent”) and 10,432,422 (the “’422 Patent”)—the two patents at issue in the Cox Motion—for the same reasons that Cox articulated.

The Court conducted a hearing on the DirecTV Motion on January 16, 2024. During that hearing, and in the briefing on the DirecTV Motion, Plaintiff Entropic Communications, LLC opposed DirecTV’s joinder to the Cox Motion on

¹ DirecTV’s Mot. to Dismiss (the “DirecTV Motion”) [ECF No. 160].

² Cox’s Mot. to Dismiss (the “Cox Motion”) [ECF No. 64 in Case No. 2:23-cv-01047].

the ground that Entropic pleaded additional facts in its First Amended Complaint, which Entropic filed after the Court conducted a hearing on the Cox Motion. Entropic contends that its amendment of its pleading potentially warrants a different outcome concerning the eligibility of the '213 Patent and the '422 Patent.³ DirecTV argues that the additional allegations are conclusory in nature, and, thus, they share the same defects as the allegations in Entropic's operative pleading at the time of the hearing on the Cox Motion.⁴

Supplemental briefing will aid the Court in resolving this issue. For that reason, the Court hereby **ORDERS** as follows:

1. Entropic is **DIRECTED** to file no later than February 2, 2024, a supplemental brief of no more than 10 pages explaining why the additional and revised allegations in its First Amended Complaint raise fact issues warranting a different outcome as compared to the operative allegations at the time of the hearing on the Cox Motion.

2. DirecTV is **DIRECTED** to file no later than February 16, 2024, a supplemental response brief of no more than 10 pages to Entropic's supplemental brief.

3. At its option, Cox is granted **LEAVE** to file no later than February 16, 2024, its own response brief of no more than 10 pages to Entropic's supplemental brief.

IT IS SO ORDERED.

³ See Opposition to DirecTV's Mot. to Dismiss [ECF No. 215] 42:15-23.

⁴ See Reply in support of DirecTV's Mot. to Dismiss [ECF No. 250] 24:7-24.